# TITLE 21.—FOOD AND DRUGS

## Chapter 2.—TEAS

**§ 46a. Deposit of fee before examination of tea.**

On and after July 1, 1940, no tea, or merchandise described as tea, shall be examined for importation into the United States, or released by the Collector, under sections 41–50 of this title unless the importer or consignee of such tea or merchandise, prior to such examination, has paid for deposit into the Treasury of the United States as miscellaneous receipts, a fee of 3.5 cents for each hundred weight or fraction thereof of such tea and merchandise. (As amended July 1, 1941, ch. 269, title II, 55 Stat. 478.)

AMENDMENTS

1941—Act July 1, 1941, cited to text, reenacted section without change.

## Chapter 4.—ANIMALS, MEATS, AND MEAT AND DAIRY PRODUCTS

### PREVENTION OF INTRODUCTION AND SPREAD OF CONTAGION

**§ 129. Payment for animals purchased; computation of value, and amount paid.**

REPEATED.—Act July 1, 1941, ch. 267, § 1, 55 Stat. 418.

## Chapter 6.—NARCOTIC DRUGS

### IMPORTATION OR EXPORTATION

Sec.
184a. Presence of narcotic drugs on board United States vessels on foreign voyage (New).

### IMPORTATION OR EXPORTATION

**§ 184a. Presence of narcotic drugs on board United States vessels on foreign voyage.**

Whoever brings on board, or has in his possession or control on board, any vessel of the United States, while engaged on a foreign voyage, any narcotic drug not constituting a part of the cargo entered in the manifest or part of the ship stores, shall be fined not more than $5,000 or be imprisoned for not more than five years, or both.

(b) As used in subsection (a) "narcotic drug" means any narcotic drug as now or hereafter defined by sections 171–185 of this title, or any substance in respect of which a tax is imposed pursuant to chapter 23 of Title 26, as amended, or pursuant to any regulations thereunder. (July 11, 1941, ch. 289, § 1, 55 Stat. 584.)

CODIFICATION

This section is not a part of the Narcotic Drugs Import and Export Act.

EFFECTIVE DATE

Section 2 of act July 11, 1941, cited to text, provided as follows: "SEC. 2. This Act shall take effect thirty days after the date of its enactment."

## Chapter 9.—FEDERAL FOOD, DRUG, AND COSMETIC ACT

### SUBCHAPTER V.—DRUGS AND DEVICES

Sec.
356. Certification of drugs containing insulin (New).

### SUBCHAPTER III.—PROHIBITED ACTS AND PENALTIES

**§ 331. Prohibited acts.**

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(l) Forging, counterfeiting, simulating, or falsely representing, or without proper authority using any mark, stamp, tag, label, or other identification device authorized or required by regulations promulgated under the provisions of section 344, 346 (b), 354, 356, or 364. (As amended Dec. 22, 1941, ch. 613, § 1, 55 Stat. 851.)

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AMENDMENTS

1941—Subsec. (l) was amended by act Dec. 22, 1941, cited to text, which inserted reference to section 356.

### SUBCHAPTER V.—DRUGS AND DEVICES

**§ 352. Misbranded drugs and devices.**

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(k) Insulin not properly certified.

If it is, or purports to be, or is represented as a drug composed wholly or partly of insulin, unless (1) it is from a batch with respect to which a certificate or release has been issued pursuant to section 356, and (2) such certificate or release is in effect with respect to such drug. (As amended Dec. 22, 1941, ch. 613, § 2, 55 Stat. 851.)

AMENDMENTS

1941—Subsec. (k) was added by act Dec. 22, 1941, cited to text.

**§ 356. Certification of drugs containing insulin.**

(a) The Federal Security Administrator, pursuant to regulations promulgated by him, shall provide for the certification of batches of drugs composed wholly or partly of insulin. A batch of any such drug shall be certified if such drug has such characteristics of identity and such batch has such characteristics of strength, quality, and purity, as the Administrator prescribes in such regulations as necessary to adequately insure safety and efficacy of use, but shall not otherwise be certified. Prior to the effective date of such regulations the Administrator, in lieu of certification, shall issue a release for any batch which, in his judgment, may be released without risk as to the safety and efficacy of its use. Such release shall prescribe the date of its expiration and other conditions under which it shall cease to be effective as to such batch and as to portions thereof.

(b) Regulations providing for such certification shall contain such provisions as are necessary to

carry out the purposes of this section, including provisions prescribing (1) standards of identity and of strength, quality, and purity; (2) tests and methods of assay to determine compliance with such standards; (3) effective periods for certificates, and other conditions under which they shall cease to be effective as to certified batches and as to portions thereof; (4) administration and procedure; and (5) such fees, specified in such regulations, as are necessary to provide, equip, and maintain an adequate certification service. Such regulations shall prescribe no standard of identity or of strength, quality, or purity for any drug different from the standard of identity, strength, quality, or purity set forth for such drug in an official compendium.

(c) Such regulations, insofar as they prescribe tests or methods of assay to determine strength, quality, or purity of any drug, different from the tests or methods of assay set forth for such drug in an official compendium, shall be prescribed, after notice and opportunity for revision of such compendium, in the manner provided in the second sentence of section 351 (b). The provisions of subsections (e), (f), and (g) of section 371 shall be applicable to such portion of any regulation as prescribes any such different test or method, but shall not be applicable to any other portion of any such regulation. (June 25, 1938, ch. 675, § 506, as added Dec. 22, 1941, ch. 613, § 3, 55 Stat. 851.)

REGULATIONS

Section 4 of act Dec. 22, 1941, cited to text, provided as follows: "Regulations initially prescribed under • • • [Title 21, § 356] shall be promulgated and made effective within forty-five days after the date of enactment of this Act."